IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25196 of 2004

Between:

Janumuri Koteswara Rao, S/o. Venkanna,
R/o. Uligogula (M), Addateegala (M),
E.G. District.

..... PETITIONER

AND

1 The Addl. Agent to the Government, East Godavari District, at Rampachodavaram
2 The Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District.
3 The Mandal Revenue Officer, Rajavommengi (M), East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent 2 & 3 in evicting the petitioner from the land to an extent of Ac. 1.94 cents in Sy.No. 77/1C & E of Lagarai (V), Rajavommangi (M), East Godavari District, in pursuance of the order in L.T.R.P. No. 13/2004 passed by the 2nd respondent as illegal, arbitrary and unjust and consequently direct the respondents not to evict the petitioner from the above land pending disposal of the appeal preferred before the 1st respondent.

For the Petitioner: MR.K.VENKATESH, Advocate

For the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and at their request the writ petition is taken up for disposal at the stage of admission.

This writ petition is filed to declare the action of respondent Nos.2 and 3 in evicting the petitioner from his land to an extent of Ac.1-94 cents situated in Survey No.77/1C & E of Lagarai Village, Rajavommangi Mandal of East Godavari District pursuant to the order of respondent No.2 in L.T.R.P. No.13 of 2004, dated 23-09-2004, as illegal and arbitrary.

Aggrieved by the order dated 23-09-2004 passed by the second respondent, it is stated, the petitioner filed an appeal to the first respondent on 16-12-2004 and the same is pending.

In the circumstances of the case, I direct the first respondent to dispose of the appeal said to have been filed by the petitioner herein as expeditiously as possible and till the disposal of the appeal by the first respondent, status quo existing as on today shall be maintained.

The writ petition is disposed of accordingly at the stage of admission.

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N.V. RAMANA, J

Date: 31-12-2004

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To

1 The Addl. Agent to the Government, East Godavari District, at Rampachodavaram
2 The Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District.
3 The Mandal Revenue Officer, Rajavommengi (M), East Godavari District

4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings, A.P.,Hyderabad (OUT).

5 Two C.D.copies.